



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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TO: **Internal File**

FROM: Joseph C. Helfrich, Project Team Lead *JCH*

RE: Technical Analysis of Significant Revision SR00B, Lodestar Energy, Inc.,
Horizon Mine, C/007/020-SR00B-1

SUMMARY:

The proposal to expand the Horizon Mine permit area into the Beaver Creek Tract Federal Lease # UTU-74804 was received by the Division on August 21, 2000. The Division determined the amendment to be Administratively Complete on October 26, 2000. The technical analysis containing 12 minor deficiencies were sent to the applicant on December 12, 2000. The applicant's response to the technical analysis was received by the Division on December 21, 2000. This significant revision will add approximately 711 acres to the current permit area.

TECHNICAL ANALYSIS:

PERMIT APPLICATION FORMAT AND CONTENTS

Regulatory Reference: 30 CFR 777.11; R645-301-120.

Analysis:

The application format and contents are in concert with the requirements and guidelines of the Utah Coal Regulatory Program.

There are two minor deficiencies noted in the table of contents for chapter three, the page references match the current plan but do not coincide with the text in the application and Plates 3-9, 3-10, and the raptor survey are not listed. These deficiencies have been corrected.

TECHNICAL MEMO

Findings:

Information provided in the proposal is adequate to meet the requirements of this section of the regulations.

ENVIRONMENTAL RESOURCE INFORMATION

Regulatory Reference: Pub. L 95-87 Sections 507(b), 508(a), and 516(b); 30 CFR 783., et. al.

FISH AND WILDLIFE RESOURCE INFORMATION

Regulatory Reference: 30 CFR 784.21; R645-301-322.

Analysis:

The Fish and Wildlife Information in the application is referenced in section 3.6 et sec, and discussed in chapter 10 of the current plan. Plate 10-1 has been revised to include the proposed addition to the permit area. This map shows the proposed permit boundary, the location of two raptor nests and big game habitat. The map has been revised to show the identification and location of the three nests located during the May 12, 2000 raptor survey. The proposed addition to the permit area is divided into critical year-long elk habitat and critical summer deer and elk habitats. There is an additional map labeled 2000 Raptor Survey Jump Creek Quad. The map has been identified as appendix 10-3 in the table of contents of chapter 10.

Findings:

The information contained in this section of the application is adequate to meet the requirements of the regulations.

OPERATION PLAN

FISH AND WILDLIFE INFORMATION

Regulatory Reference: 30 CFR Sec. 784.21, 817.97; R645-301-322, -301-333, -301-342, -301-358.

Analysis:

Protection and enhancement plan

A description of the wildlife mitigation and management plan is located in section 10.5 of

the current operation and reclamation plan. Potential impacts from mining would be best characterized as habitat loss. Since there will be no surface disturbance the only potential impact would be habitat loss resulting from subsidence. The 2000 raptor survey provided by the applicant shows the existence of one active Kestrel nest, one inactive Golden Eagle nest and one Golden Eagle old/dilapidated nest. Plate 10-1 also identifies two unoccupied Golden Eagle nests. The applicant has proposed to verify the status of the identified raptor nests prior to full pillar extraction being completed within 500' of an active nest. Should a nest be active, mining practices will provide for a 200' barrier around the nest location. A 100' barrier will be provided around inactive nest locations. Nests lost or damaged due to subsidence or other mine related causes will be replaced under the guidelines and assistance from The Division of Wildlife Resources.

Endangered and threatened species

The list of threatened, endangered and candidate species that may occur within the proposed lease area are the Bald Eagle, Black-Footed Ferret, Bonytail Chub, Colorado Pike Minnow, Humpback Chub, and Razorback Sucker. They are listed in table 10-1 of chapter 10 of the current operation and reclamation plan. Most threatened or endangered species that could occur in Carbon County occur at lower elevations than the mine and have no habitats in the proposed permit area expansion. There have been no confirmed sightings of Black-Footed Ferrets in Carbon County in several years. However, the mine has potential, through water depletions, of adversely affecting four listed threatened and endangered fish species of the upper Colorado River drainage. The Fish and Wildlife Service requires mitigation when water depletions exceed 100 acre-feet annually. Chapter 7 section 7.3.2 PHC Determinations, page 7-71 provides for the criteria and volumes used to calculate an estimate of 60 acre feet of water per year.

Bald and golden eagles

Bald eagles are common in the area during the winter and could occasionally fly through or roost in the proposed addition to the permit area. Mining would have negligible effects on these birds.

Wetlands and habitats of unusually high value for fish and wildlife

Beaver Creek and several springs and ponds are adjacent to or lie within the proposed permit area revision. The applicant is currently monitoring Beaver Creek and certain springs, and wells in the proposed addition to the permit area, (plate 7-1). The applicant has proposed to maintain a 100' Buffer zone along beaver Creek to prevent impacts to the stream. Subsidence monitoring points are identified on plate 3-3

TECHNICAL MEMO

Findings:

The information contained in this section of the application is adequate to meet the requirements of the regulations.

RECLAMATION PLAN

PROTECTION OF FISH, WILDLIFE, AND RELATED ENVIRONMENTAL VALUES

Regulatory Reference: 30 CFR Sec. 817.97; R645-301-333, -301-342, -301-358.

Analysis:

No surface disturbance is anticipated other than minimal subsidence. Beaver Creek and several springs and ponds are adjacent to or lie within the proposed permit area. The applicant is currently monitoring Beaver Creek and certain springs, and wells in the proposed addition to the permit area, (plate7-1). The applicant has proposed to maintain a 100' Buffer zone along Beaver Creek to prevent impacts to the stream. Subsidence will be monitored during mining and for a period of two years following final cessation of mining practices. The subsidence monitoring points are identified on plate 3-3 of the application.

Findings:

Information provided in the proposal is adequate to meet the requirements of this section of the regulations.

RECOMMENDATION:

The application is recommended for approval at this time.